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## **08-cv-00076-SAS**

### **UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK**

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Ameen Nagi Saleh,

Petitioner,

### **PETITION FOR REVIEW OF NATURALIZATION DENIAL**

v.

Andrea J. Quarantillo, in her official capacity  
as District Director, U.S. Citizenship &  
Immigration Services; and the  
U.S. Citizenship & Immigration Services,

Respondents.

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Petitioner Ameen Nagi Saleh, through his undersigned attorney, Ferro & Cuccia, alleges, based on personal knowledge as to himself and information belief as to all other matters, as follows:

### **INTRODUCTION**

1. This is an individual action for a request for a review of the denial of Petitioner's application for naturalization and a hearing before the District Court, pursuant to § 310(c) of the Immigration and Nationality Act. 8 U.S.C. § 1421(c).

### **JURISDICTION**

2. The Court has jurisdiction to hear Petitioner's request for a hearing on his naturalization denial pursuant to 8 U.S.C. § 1421(c).

3. This case involves issues regarding the Immigration and Nationality Act of 1952, as amended, codified at 8 U.S.C. §§ 1101 et seq. Thus, the Court also has subject matter jurisdiction over this matter under the "federal question statute." 28 U.S.C. § 1331.

4. The Court has personal jurisdiction over officials and agencies of the United States under 28 U.S.C. § 1346(a)(2).

### **VENUE**

5. Petitioner resides in New York, New York. Under 8 U.S.C. § 1421(c), venue in the Southern District of New York is proper.

### **PARTIES**

6. Petitioner is a lawful permanent resident of the United States, who resides in New York, NY. Petitioner's alien registration number is 91-750-886.

7. The United States Citizenship and Immigration Services (“USCIS”) is the federal agency tasked with determining eligibility for naturalization.

8. Respondent Andrea J. Quarantillo is the duly appointed District Director of the New York District office of USCIS, which office denied Petitioner’s application for naturalization.

### **FACTUAL ALLEGATIONS**

9. Petitioner is a lawful permanent resident of the United States. Petitioner was granted lawful permanent residency on December 1, 1990 and his alien registration number is 91-750-886.

10. On or about February 16, 2007, Petitioner submitted an N-400 Application for Naturalization to USCIS.

11. On May 31, 2007, USCIS denied Petitioner’s naturalization application.

12. On June 20, 2007, Petitioner filed a Form N-336 “Request for Hearing on a Decision in Naturalization Proceedings under Section 336 of the Immigration and Nationality Act.”

13. On December 5, 2007, Petitioner attended a review hearing conducted by an officer of USCIS pursuant to Section 336(a) of the Immigration and Nationality Act.

14. On December 20, 2007, USCIS issued a decision affirming its previous decision and denying Petitioner’s appeal.

15. Petitioner has exhausted his administrative remedies.

### **CLAIMS FOR RELIEF**

16. Petitioner refers to and incorporates herein Paragraphs 1 through 15 of this Complaint as though set forth in full hereat.

17. Petitioner has been adversely aggrieved by USCIS's erroneous denial and seeks the Court's de novo review of USCIS's May 31, 2007 and December 20, 2007 decisions. 5 U.S.C. § 702 and 8 U.S.C. § 1421(c).

18. Petitioner requests that the Court conduct a de novo hearing on his naturalization application. 8 U.S.C. § 1421(c).

**WHEREFORE,** Petitioner prays that this honorable Court:

- (1) Review USCIS's denials de novo, make its own findings of fact and conclusions of law, and grant his naturalization application;
- (2) Conduct a de novo hearing on his naturalization application, and grant his naturalization application; and
- (3) Grant such other and further relief as this Court deems proper.

Dated: January 2, 2008  
New York, New York

Respectfully submitted,  
FERRO & CUCCIA  
\_\_\_\_\_/s/ Romben Aquino\_\_\_\_

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